

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ERIC HILL, <i>et al.</i> ,	*)	
	*)	2:11-CV-CV-01327-PMP-VCF
Plaintiffs,	*)	
	*)	
vs.	*)	<b><u>ORDER</u></b>
	*)	
MORTGAGE ELECTRONIC	*)	
REGISTRATION SYSTEMS, INC., <i>et</i>	*)	
<i>al.</i> ,	*)	
	*)	
Defendants.	*)	

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Before the Court for consideration is Defendant Mortgage Electronic Registration Systems, Inc.’s fully briefed Motion to Dismiss First Amended Complaint (Doc. #31). Having considered the arguments of counsel presented at the hearing conducted April 19, 2012, the Court finds that Defendant’s Motion must be granted.

Specifically, Plaintiffs First Cause of Action under NRS § 598 *et seq.*, purportedly alleging fraud, fails for lack of particularity. Moreover, as argued in Defendant’s Motion, the “false representation in a transaction” basis provided for deceptive trade practices under NRS § 598.0915, does not apply to foreclosure of home loans. Even if it did, Plaintiffs’ complaint in this regard still fails for lack of particularity required by Rule 9(b) of the Federal Rules of Civil Procedure.

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**IT IS THEREFORE ORDERED** that Defendant Mortgage Electronic Registration Systems, Inc.'s Motion to Dismiss First Amended Complaint (Doc. #31) is **GRANTED**, and the Clerk of Court shall forthwith enter judgment in favor of Defendant Mortgage Electronic Registration Systems, Inc. and against Plaintiffs.

DATED: April 20, 2012.

PHILIP M. PRO  
United States District Judge